

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:) Confirmation No. 6009
Tetsuo Okada *et al.*)
Application No. 10/576,774) Group Art Unit: 1624
Filed: March 16, 2007) Examiner: Deepak R. Rao
For: Process for the Manufacture of the)
Calcium Salt of Rosuvastatin (E)-7-[4-(4-)
Fluorophenyl)-6-Isopropyl-2-)
[Methyl(Methylsulfonyl)Amino]-)
Pyrimidin-5-yl](3R,5S)-3,5-)
Dihydroxyhept-6-Enoic Acid and)
Crystalline Intermediates Thereof) Date: November 16, 2010

INFORMATION DISCLOSURE STATEMENT

UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449 form. This Information Disclosure Statement is being filed to the best of the undersigned's knowledge before the mailing date of a Final Office Action or a Notice of Allowance for the above-referenced application. Under the provisions of 37 C.F.R. § 1.97(c), the Commissioner is hereby authorized to charge the fee of \$180.00 as specified by 1.17(p) to Deposit Account 50-0310.

Because all of the listed documents are either U.S. patents or published U.S. patent applications, no copies are being provided. Applicants respectfully request that the Examiner initial and return the Form PTO-1449, indicating that the information has been considered and made of record herein.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." Applicants reserve the right to take appropriate action to establish the

patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully Submitted,
Morgan Lewis & Bockius LLP

Date: **November 16, 2010** By: /Gregory T. Lowen/
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